

In the United States Patent and Trademark Office

Serial Number: 09/575,181
Application. Filed: May 23, 2000
Applicant: Paul Lapstun, Jacqueline Anne Lapstun and Kia Silverbrook
Application Title: METHOD AND SYSTEM FOR BILL MANAGEMENT
Examiner/GAU: Lalita M HAMILTON 3691
Dated March 12, 2007
At: Balmain, NSW
Docket No. NPA075US

REPLY

Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

The Applicant thanks the Examiner for the Office Action dated December 12, 2006.

Claim Rejections - 35 USC § 103

The Applicant contests the Examiner's assertion that the present invention is obvious in view of the combination of newly cited references Powar and Wilz.

Examination of the present application has so far focused on whether the prior art teaches the claim feature of "indicating data indicative of the identity of the form and of a position of the sensing device relative to the form, the indicating data having been generated by the sensing device using at least some of the coded data it sensed when placed in an operative position relative to the form".

Hitherto, the Applicant argued that none of the prior art teaches a sensing device which senses coded data on a printed form and uses this sensed coded data to generate 'indicating data' regarding, *inter alia*, the position of the sensing device relative to the form. No teaching to this effect could be found, for example, in Nishiyama, which was cited previously against the present application.

The Examiner has now cited Powar, presumably because of Powar's disclosure of a method for paying bills electronically. However, the Applicant submits that the Examiner has not properly considered the second part of the factual inquiries set forth in *Graham v. John Deere Co.* This requires the Examiner to:

Ascertain the differences between the prior art and the claims at issue.

In the Applicant's submission, the above-mentioned claim feature is a clear difference between the presently claimed subject-matter and the disclosure of Powar. However, the Examiner has apparently not given this feature due consideration.

More particularly, there is no objective evidence in the prior art to suggest that the skilled person would have modified Powar so as to include the feature of "indicating data indicative of the identity of the form and of a position of the sensing device relative to the form, the indicating data having been generated by the sensing device using at least some of the coded data it sensed when placed in an operative position relative to the form".

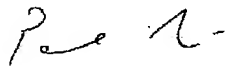
Certainly, Wilz does not provide any such suggestion to the skilled person, because Wilz is concerned merely with interactions with traditional barcodes in order to access the internet. Wilz makes no mention of data indicative of a *position* of a sensing device relative to a form.

Accordingly, the Examiner is requested to reconsider the rejections raised under 35 USC 103 in view of Powar and Wilz. The Applicant submits that the combined teachings of these documents would not have led the skilled person to arrive at the presently claimed invention.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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